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EXAMINER

TEKLE, DANIEL T

ART UNIT

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/018,846	Applicant(s) KATO ET AL.	
	Examiner DANIEL TEKLE	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 May 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12, 13, 15 and 28-76 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12, 13, 15 and 28-76 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Argument

Applicant's arguments filed May 7, 2008 have been fully considered but they are not persuasive.

Applicant argues on page 23 of the remark, "Okada describes a two-map hierarchy system in which both maps are used. In contrast to Okada, the present invention claims that a single map is selected from two maps.

In reply the examiner respectively disagrees. Even though Okada et al. use two map hierarchy system, still it has an option to use one of these two tables in order to reproduce a video file.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 12-13, 15 and 28-76 are rejected under 35 U.S.C. 102(e) as being anticipated by Okada et al (US 6445867).

Regarding Claim 12: Okada et al. discloses an information processing method for reproducing AV stream data from a recording medium, comprising: a first determining step of determining whether a first table is recorded on the recording medium, the first

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table recorded as a function of a first recording method(**figure 21 element 813**); a second determining step of determining whether a second table is recorded on the recording medium, the second table recorded as a function of a second recording method (**figure 21 element 811**); a reproducing step of reproducing only one table; one of either the first table describing a relation of correspondence between a presentation time stamp and an address in AV stream data of a corresponding access unit or reproducing the second table describing a relation of correspondence between an arrival time stamp derived from an arrival time point of a transport packet and an address in AV stream data of a corresponding transport packet (**column 20 lines 57-67 and column 21 lines 1-18**), from recording medium based on the first determining step or the second determining step (**column 17 lines 53-67**); and a controlling step of controlling the output of AV stream data based on the reproduced table (**column 25 lines 20-23**).

Regarding claim 13 and 15: Claim 13 and 15 are rejected for the same subject matter as claim 12.

Regarding Claim 28: Okada et al. discloses an information processing apparatus for recording AV stream data on a recording medium, comprising: a controller for generating only one table; one of either a first table describing a relation of correspondence between a presentation time stamp and an address in AV stream data of a corresponding access unit, or generating a second table describing a relation of correspondence between an arrival time stamp derived from the an arrival time point of a transport packet and an address in AV stream data of a corresponding transport

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packet (**column 18 lines 54-65**); and a recorder for recording one of the generated first table or the generated second table, on recording medium with AV stream data, based on the controller (**column 17 lines 41-67**).

Regarding Claim 29: Okada et al. discloses the information processing apparatus according to claim 28 wherein first table is EP_map (**column 21 lines 5-18**); and wherein second table is TU_map (**column 20 lines 57-67 and column 21 lines 1-4**).

Regarding Claim 30: Okada et al. disclose an information processing apparatus according to claim 28 wherein controller selects second table in case of non-cognizant recording (**column 20 lines 63-66**).

Regarding Claim 31: Okada et al. disclose the information processing apparatus according to claim 28 wherein controller selects first table in case of self-encoding recording (**column 13 lines 1-5**).

Regarding Claim 32: Okada et al. disclose the information processing apparatus according to claim 28 wherein controller selects first table in case of cognizant recording (**column 21 lines 5-18**).

Regarding Claim 33: Okada et al. disclose the information processing apparatus according to claim 28 wherein controller generates the identification information indicating which of first and second tables have been recorded; recorder memorizing identification information (**column 17 lines 53-67 and column 18 lines 1-7**).

Regarding Claim 34: Okada et al. disclose the information processing apparatus according to claim 33 wherein controller manages control so that, if first table is recorded along with AV stream data, the time of the reproduction domain of AV stream

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data is controlled based on the presentation time basis and wherein if second table is recorded along with AV stream data, the time of the reproduction domain of AV stream data is controlled based on the arrival time basis (**column 17 lines 53-67, column 18 lines 1-18 and column 20 line 40**).

Regarding claim 35-37: Claim 35-37 are rejected for the same subject matter as claim 28.

Regarding claim 38: Claim 38 is rejected for the same subject matter as claim 12.

Regarding Claim 39: Okada et al. disclose an Information processing apparatus for processing audio and/or picture information, comprising: an input unit operable to input audio and/or picture information (**column 1 lines 8-14**); a controller operable for generating characteristic point information comprising: (i) an entry point map describing a relationship between a presentation time stamp of an entry point and an address of a respective entry point, or (ii) a time unit map describing the relationship between an arrival time stamp of a time unit and an address of a respective time unit, wherein the characteristic point information comprising only one table; one of either the entry point map or the time unit map is generated as a function of a type of input audio and/or picture information (**column 20 lines 57-67 and column 21 lines 1-18**); and an output unit operable to output the generated characteristic point information (**column 18 lines 1-8**).

Regarding Claim 40: Okada et al. disclose an apparatus of claim 39, further including a recorder operable to record audio and/or picture information and the characteristic point information on a recording medium (**column 18 lines 1-8**).

Regarding Claim 41: Okada et al. discloses an apparatus of claim 40 wherein controller generates the entry point map when the input audio and/or picture information is converted to self-encode stream format **(column 13 lines 1-5)**.

Regarding Claim 42: Okada et al. discloses an Information processing apparatus for processing audio and/or picture information, comprising: an input unit operable to input audio and/or picture information **(column 1 lines 8-14)**; a controller adapted to generate one map; wherein the only one generated map is either (i) an entry point map describing a relationship between a presentation time stamp of an entry point and an address of a respective entry point, or (ii) a time unit map describing the relationship between an arrival time stamp of a time unit and an address of a respective time unit, wherein the controller is adapted to generate only one map; one of either the entry point map or the time unit map as a function of a recording method; **(column 20 lines 57-67 and column 21 lines 1-18)**; and a recorder operable to record the audio and/or picture information and the entry point map or the time unit map generated map on a recording medium **(column 1 lines 8-14)**.

Regarding claims 43: Okada et al. discloses an apparatus of claim 42, wherein controller generates the time unit map when the entry point map cannot be prepared **(column 19 lines 45-55)**.

Regarding claims 44: Okada et al. discloses an Information processing apparatus for recording input audio and/or picture information, comprising: a controller operable to generate play list information and map information corresponding to clip information, wherein clip information includes audio and/or picture information, play list information

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including at least one play item designated by an in-point and an out-point of the clip information, wherein map information including only one map; one of either (i) an entry point map describing a relationship between a presentation time stamp of an entry point and an address of a respective entry point, or (ii) a time unit map describing a relationship between an arrival time stamp of a time unit and an address of a respective time unit wherein generation of only one map; one of either the entry point map or the time unit map is a function of a recording method **(column 11 lines 29-61)**; and a recorder operable to store the playlist information, the map information and the clip information on a recording medium **(column 7 lines 15-31)**.

Regarding claims 45: Okada et al. disclose the apparatus of claim 44, wherein controller generates the map information for each point of the clip information **(column 11 lines 29-31)**.

Regarding claims 46: Okada et al. discloses the apparatus of claim 45, wherein controller generates the map information of the same type for all clip information associated with one play list **(column 11 lines 40-49)**.

Regarding claim 47: Claim 47 is rejected for the same subject matter as claim 39.

Regarding claim 48: Claim 48 is rejected for the same subject matter as claim 40.

Regarding claim 49: Claim 49 is rejected for the same subject matter as claim 41.

Regarding claim 50: Claim 50 is rejected for the same subject matter as claim 42.

Regarding claim 51: Claim 51 is rejected for the same subject matter as claim 43.

Regarding claim 52: Claim 52 is rejected for the same subject matter as claim 44.

Regarding claim 53: Claim 53 is rejected for the same subject matter as claim 45.

Regarding claim 54: Claim 53 is rejected for the same subject matter as claim 46.

Regarding claim 55: Okada et al. discloses an apparatus for reproducing audio and/or picture information comprising: a reproducing device for reproducing from a storage medium audio and/or picture information only one map; one of either (i) an entry point map describing the relationship between a presentation time stamp of an entry point of information and an address of a respective entry point, or (ii) a time unit map describing a relationship between an arrival time stamp of a time unit of information and an address of a respective time unit wherein only one map; one of either the entry point map or the time unit map is reproduced as a function of type of input audio and/or picture information (**column 20 lines 57-67 and column 21 lines 1-18**); a map recovery unit for recovering the entry point map or the time unit map from storage medium (**column 4 lines 66-67 and column 5 lines 1-7**); and an audio and/or picture information reproducing unit for reproducing the audio and/or picture information associated with the recovered map (**column 5 lines 8-18**).

Regarding claim 56: Okada et al. discloses an apparatus of claim 54, wherein the entry point map is stored on storage medium when the audio and/or picture information is in a self-encode stream format (**column 13 lines 1-5**).

Regarding claims 57: Okada et al. discloses an apparatus for reproducing audio and/or picture information, comprising: a determining unit configured to determine map information recorded on a recording medium, the map information recorded as a function of a corresponding recording method (**column 17 lines 53-67**); a reproducing device for reproducing from a storage medium that stored playlist information and map

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information corresponding to a stream file stream file including audio and/or picture information, wherein playlist information including at least one PlayItem having IN time to indicate a presentation start time of PlayItem and OUT time to indicate the presentation end time of PlayItem, **(column 11 lines 29-61)** wherein map information includes only one map; one of either (i) an entry point map describing the relationship between a presentation time stamp of an entry point of the stream file and an address of a respective entry point, or (ii) a time unit map describing the relationship between an arrival time stamp of a time unit of the stream file and an address of a respective time unit **(column 20 lines 57-67 and column 21 lines 1-18)**; a playlist recovery unit for recovering the playlist information **(column 20 lines 49-55)**; a map recovery unit for recovering the map information **(column 20 lines 49-55)**; and a reproducing unit for reproducing the clip information associated with the recovered map information **(column 20 lines 49-55)**.

Regarding claims 58: Okada et al. disclose an apparatus of claim 56 wherein respective map information is stored for each stream file**(column 11 lines 40-49)**.

Regarding claims 59: Okada et al. discloses an apparatus of claim 57 wherein map information of the same type is stored for all clip information associated with one playlist **(column 11 lines 40-49)**.

Regarding claims 60: Okada et al. discloses a method for reproducing audio and/or picture information comprising the steps of: reproducing from a storage medium audio and/or picture information and either (i) an entry point map describing the relationship between a presentation time stamp of an entry point of information and an

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address of a respective entry point, or (ii) a time unit map describing the relationship between an arrival time stamp of a time unit of information and an address of a respective time unit wherein only one map; one of either the entry point map or the time unit map is reproduced as a function of with a type of input audio and/or picture information **(column 20 lines 49-64)**; recovering only one map; one of either the reproduced entry point map or the reproduced time unit map from storage medium**(column 20 lines 49-55)**; and reproducing the audio and/or picture information associated with the recovered map**(column 5 lines 8-18)**.

Regarding claims 61: Okada et al. discloses the method of claim 59, wherein the entry point map is stored on storage medium when the audio and/or picture information is in a self-encode stream format **(column 13 lines 1-5)**.

Regarding claim 62: Claim 62 is rejected for the same subject matter as claim 57.

Regarding claim 63: Claim 63 is rejected for the same subject matter as claim 58.

Regarding claim 64: Claim 64 is rejected for the same subject matter as claim 59.

Regarding claim 65: Claim 65 is rejected for the same subject matter as claim 39.

Regarding claim 66: Claim 66 is rejected for the same subject matter as claim 42.

Regarding claim 67: Claim 67 is rejected for the same subject matter as claim 44.

Regarding claim 68: Claim 68 is rejected for the same subject matter as claim 59.

Regarding claim 69: Claim 69 is rejected for the same subject matter as claim 56.

Regarding claims 70: Okada et al. discloses a data providing medium encoded with data readable by a digital processor for controlling reproduction of data including: a flag type; and an entry point map describing the relationship between a presentation time

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stamp of an entry point of audio and/or picture information recorded thereon and an address of a respective entry point, or a time unit map describing the relationship between an arrival time stamp of a time unit of information and an address of a respective time unit in accordance with a type of input audio and/or picture information, wherein the flag type indicates a type of recording process used to record only one map; one of either the entry point map or the time unit map **(column 20 lines 57-67 and column 21 lines 1-18)**.

Regarding claims 71: Okada et al. discloses a data providing medium encoded with data readable by a digital processor for controlling reproduction of data including playlist information and map information corresponding to clip information, clip information including audio and/or picture information, said playlist information including at least one play item designated by an in-point and an out-point of the clip information, **(column 11 lines 29-61)** and map information being only one map; one of either: (i) an entry point map describing the relationship between a presentation time stamp of an entry point and an address of a respective entry point, or (ii) a time unit map describing the relationship between an arrival time stamp of a time unit of the stream file and an address of a respective time unit **(column 20 lines 57-67 and column 21 lines 1-18)**, wherein inclusion of only one map; one of either the entry point map or the time unit map is a function of a recording method **(column 20 lines 49-64)**.

Regarding Claim 72: Okada et al. discloses an apparatus for reproducing according to claim 57, comprising: a reproducing device for reproducing the map file from the stream file **(column 5 lines 8-18)**.

Regarding claim 73-74: Claim 73-74 are rejected for the same subject matter as claim 72.

Regarding Claim 75: Okada et al. discloses a method for recording data comprising: accessing playlist data; identifying clip information data from the playlist data (**column 13 lines 13-24**); determining a file type of the clip information (**column 13 lines 29-33**); generating a map from the file clip information if the clip information file is an EP_map type (**fig. 21 element 813**); and generating a clip audio/video stream from the EP_map (**column 22 lines 44-51**).

Regarding Claim 76: Okada et al. discloses a method as claimed in claim 75, wherein the file type of the clip information is only one map; one of either an EP_map type or a TU_map type (**fig. 21 element 813 and 811**).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL TEKLE whose telephone number is (571)270-1117. The examiner can normally be reached on 7:30am to 5:00pm M-R and 7:30-4:00 Every other Friday..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold can be reached on 571-272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Marsha D. Banks-Harold/
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